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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESSICA AVRAS,

Defendant.

CASE NO. 2:23-CR-00022-RFB-BNW-1

STIPULATION AND ORDER TO CONTINUE SENTENCING
(SECOND REQUEST)

IT IS HEREBY STIPULATED by and between Defendant, Jessica Avras, by and through her counsel, Dominic P. Gentile, Esq., of the law firm of Clark Hill, PLLC, and Plaintiff, United States of America, by and through Jason M. Frierson, United States Attorney, Richard Anthony Lopez, Thomas Wood Flynn, and Susan Cushman Assistant United States Attorneys, that the sentencing hearing, which is currently scheduled for May 2, 2024, at 9:15 a.m., be vacated and rescheduled to a day and time convenient to the Court but not earlier than August 15, 2024.

This Stipulation is entered into for the following reasons:

1. Sentencing in this matter is currently scheduled for May 2, 2024, at 9:15 a.m.
2. The parties are prepared for sentencing, however, need an extension of the sentencing date due to the medical condition of the Defendant, Ms. Avras.
3. Due to an obligation to keep HIPPA information confidential and the public nature of the instant document, counsel for the Defendant is willing to provide the Court more information on the condition of the Defendant if needed.

1 4. Over the last year, Defendant has had multiple hospitalizations which rendered
2 several severe diagnoses in which has affected Ms. Avras's ability to walk.

3 5. Due to the medical uniqueness of her current condition, Ms. Avras has been asked
4 by her medical providers to consent to be a subject in a case study.

5 6. Ms. Avras's medical condition has rendered Ms. Avras dependent on receiving
6 assistance from others as well as assisted devices.

7 7. Due to her medical condition, Ms. Avras has been prescribed several medications,
8 some of which may alter her present ability to recall information.

9 8. Because of the status of her current medical condition, Ms. Avras cannot be
10 presented for her presentence interview with United States Probation Officer Cravotta.

11 9. Officer Cravotta and the attorneys for the government and defense have been made
12 aware of the Defendant's current medical status and are all in agreement with the instant stipulation
13 to continue sentencing. Should Ms. Avras's medical conditions improve in the timeframe
14 requested, she will have time to present for her presentence interview in order for Officer Cravotta
15 to comply with her requirement to submit a Presentence Investigation Report prior to sentencing.

16 10. Ms. Avras has appeared in this case, and is not in custody, and along with the
17 Government, agrees to this continuance.

18 11. The additional time requested herein is not sought for purposes of delay and the
19 denial of this request for a continuance could result in a miscarriage of justice.

20 12. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a
21 sentencing hearing for good cause. Good cause exists in this case.

22 13. For all the above-stated reasons, the ends of justice would be best served by a
23 continuance of the sentencing hearing.

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1 14. This is the second request for a continuance of the sentencing hearing.

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3 DATED this 11th day of March, 2024.

 DATED this 11th day of March, 2024.

4 **U.S. ATTORNEYS OFFICE**

CLARK HILL PLLC

5 /s/ Thomas Flynn

/s/ Gia N. Marina

6 SAMUEL P. ROBINS
7 THOMAS WOOD FLYNN
8 SUSAN CUSHMAN
9 United States Attorneys
 Attorneys for Plaintiff
 UNITED STATES OF AMERICA

 DOMINIC P. GENTILE
 GIA N. MARINA
 Attorneys for Defendant
 JESSICA AVRAS

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

CASE NO. 2:23-CR-00022-RFB-BNW-1

4 Plaintiff,

5 vs.

6 JESSICA AVRAS,

7 Defendant.

8 **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
10 Court hereby finds that:

11 **CONCLUSIONS OF LAW**

12 Based on the fact that counsel has agreed to a continuance, the Court hereby concludes that:

- 13 1. Sentencing in this matter is currently scheduled for May 2, 2024, at 9:15 a.m.
- 14 2. The parties are prepared for sentencing, however, need an extension of the
15 sentencing date due to the medical condition of the Defendant, Ms. Avras.
- 16 3. Due to an obligation to keep HIPPA information confidential and the public nature
17 of the instant document, counsel for the Defendant is willing to provide the Court more information
18 on the condition of the Defendant if needed.
- 19 4. Over the last year, Defendant has had multiple hospitalizations which rendered
20 several severe diagnoses in which has affected Ms. Avras's ability to walk.
- 21 5. Due to the medical uniqueness of her current condition, Ms. Avras has been asked
22 by her medical providers to consent to be a subject in a case study.
- 23 6. Ms. Avras's medical condition has rendered Ms. Avras dependent on receiving
24 assistance from others as well as assisted devices.
- 25 7. Due to her medical condition, Ms. Avras has been prescribed several medications,
26 some of which may alter her present ability to recall information.
- 27 8. Because of the status of her current medical condition, Ms. Avras cannot be
28

1 presented for her presentence interview with United States Probation Officer Cravotta.

2 9. Officer Cravotta and the attorneys for the government and defense have been made
3 aware of the Defendant's current medical status and are all in agreement with the instant stipulation
4 to continue sentencing. Should Ms. Avras's medical conditions improve in the timeframe
5 requested, she will have time to present for her presentence interview in order for Officer Cravotta
6 to comply with her requirement to submit a Presentence Investigation Report prior to sentencing.

7 10. Ms. Avras has appeared in this case, and is not in custody, and along with the
8 Government, agrees to this continuance.

9 11. The additional time requested herein is not sought for purposes of delay and the
10 denial of this request for a continuance could result in a miscarriage of justice.

11 12. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a
12 sentencing hearing for good cause. Good cause exists in this case.

13 13. For all the above-stated reasons, the ends of justice would be best served by a
14 continuance of the sentencing hearing.

15 14. This is the second request for a continuance of the sentencing hearing.

16 15. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a
17 sentencing hearing for good cause. Good cause exists in this case.

18 16. For all the above-stated reasons, the ends of justice would be best served by a
19 continuance of the sentencing hearing.

20 17. This is the second request for a continuance of the sentencing hearing.

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ORDER

IT IS HEREBY ORDERED that the Sentencing Hearing in this matter presently scheduled for May 2, 2024, at 9:15 a.m. is hereby vacated and continued to **August 30, 2024 at 8:30 a.m.**

DATED this 13th day of March, 2024.



**UNITED STATES DISTRICT COURT JUDGE
CASE NO.: 2:23-CR-00022-RFB-BNW-1**